

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JUN 6 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

INDIGENOUS ENVIRONMENTAL
NETWORK; NORTH COAST RIVERS
ALLIANCE,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF
STATE; et al.,

Defendants,

and

TRANSCANADA KEYSTONE PIPELINE,
LP; TRANSCANADA CORPORATION,

Intervenor-Defendants-
Appellants.

NORTHERN PLAINS RESOURCE
COUNCIL; et al.,

Plaintiffs-Appellees,

FORT BELKNAP INDIAN COMMUNITY;
ROSEBUD SIOUX TRIBE,

Intervenors,

v.

THOMAS A. SHANNON, Jr., in his official

No. 18-36068

D.C. No. 4:17-cv-00029-BMM
District of Montana,
Great Falls

ORDER

No. 18-36069

D.C. No. 4:17-cv-00031-BMM

capacity; et al.,

Defendants,

and

TRANSCANADA KEYSTONE PIPELINE,
LP; TRANSCANADA CORPORATION,

Intervenor-Defendants-
Appellants.

INDIGENOUS ENVIRONMENTAL
NETWORK; NORTH COAST RIVERS
ALLIANCE,

Plaintiffs-Appellants,

v.

UNITED STATES DEPARTMENT OF
STATE; et al.,

Defendants-Appellees,

TRANSCANADA KEYSTONE PIPELINE,
LP; TRANSCANADA CORPORATION,

Intervenor-Defendants-
Appellees.

NORTHERN PLAINS RESOURCE
COUNCIL; et al.,

Plaintiffs-Appellants,

FORT BELKNAP INDIAN COMMUNITY;

No. 19-35036

D.C. Nos. 4:17-cv-00029-BMM
4:17-cv-00031-BMM

No. 19-35064

D.C. Nos. 4:17-cv-00029-BMM
4:17-cv-00031-BMM

ROSEBUD SIOUX TRIBE,

Intervenors,

v.

THOMAS A. SHANNON, Jr., in his official capacity; et al.,

Defendants-Appellees,

TRANSCANADA KEYSTONE PIPELINE, LP; TRANSCANADA CORPORATION,

Intervenor-Defendants-Appellees.

INDIGENOUS ENVIRONMENTAL NETWORK; et al.,

Plaintiffs-Appellees,

FORT BELKNAP INDIAN COMMUNITY; ROSEBUD SIOUX TRIBE,

Intervenors,

v.

UNITED STATES DEPARTMENT OF STATE; et al.,

Defendants-Appellants,

and

TRANSCANADA KEYSTONE PIPELINE, LP; TRANSCANADA CORPORATION,

No. 19-35099

D.C. Nos. 4:17-cv-00029-BMM
4:17-cv-00031-BMM

Intervenor-Defendants.

Before: LEAVY, CALLAHAN, and BEA, Circuit Judges.

We grant TransCanada Corporation and TransCanada Keystone Pipeline, LP (“TransCanada”) and the Federal parties’ motions to dismiss these appeals as moot (No. 18-36068 Docket Entry Nos. 35, 36).

We grant TransCanada’s motion to vacate the district court’s November 15, 2018 judgments entered in district court actions 4:17-cv-00029-BMM and 4:17-cv-00031-BMM, dissolve the district court’s permanent injunction orders, and remand with instructions to dismiss the district court actions as moot. *See United States v. Munsingwear*, 340 U.S. 36, 39 (1950).

Each party shall bear its own costs on appeal.

DISMISSED and REMANDED with instructions to VACATE the judgments and to DISMISS the actions as moot.